



USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/29/2020

December 29, 2020

VIA ECF

The Honorable Valerie E. Caproni
United States District Judge, Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: *In re: London Silver Fixing, Ltd. Antitrust Litigation*,
No. 14-md-2573-VEC (S.D.N.Y.)

Dear Judge Caproni:

We write on behalf of Plaintiffs in the above-captioned litigation regarding issues related to Defendants' counterparty information to be produced in connection with Plaintiffs' settlement with Deutsche Bank. As the parties previously advised the Court:

The Parties have reached agreement regarding the production of non-settling Defendants' domestic and foreign counterparty information to an agent of Defendants' choosing, *i.e.*, Rust, Inc. Rust will mail notices and claim forms to non-settling Defendants' counterparties, who may then choose to file claims, opt out or object, as they deem appropriate.

After multiple meet and confers, the parties have finalized their discussions on the production of counterparty information. Plaintiffs now file this unopposed motion to address the production of such information by Defendants to Rust, Inc. for purposes of complying with applicable privacy laws and regulations to which this information may be subject.

Defendants have advised us that both HSBC and BNS will be able to promptly produce counterparty contact information to Rust upon executing Defendants' engagement letter with Rust. With respect to the engagement letter, we are advised that Defendants have finalized all materials other than Appendix C, which governs the transfer of data outside of the EU/UK. Defendants have further advised us that they are working actively to obtain final sign-off on Appendix C.

Defendants do not oppose Plaintiffs' request in this motion. Plaintiffs have not sought this relief previously. For the reasons set forth above, Plaintiffs respectfully request that the Court enter the Proposed Order filed herewith.

Hon. Valerie E. Caproni

December 29, 2020

Page 2

The parties also jointly request that the requirement to file a joint status report on January 4, 2021 be suspended, and that the next status monthly report be due to the Court on February 1, 2021.

Respectfully submitted,

/s/ Thomas Skelton

Thomas Skelton

Lowey Dannenberg, P.C.

(914) 733-7225

tskelton@lowey.com

/s/ Deborah Elman

Deborah Elman

Grant & Eisenhofer P.A.

(646) 722-8534

delman@gelaw.com

cc: Counsel of Record, via ECF

Application GRANTED. The next monthly report is due no later than **February 1, 2021**.

SO ORDERED.



Date: December 29, 2020

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE